

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18967 of 2015

Arising Out of PS.Case No. -1101 Year- 2013 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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1. Md. Jakir Son of Md. Phool Hasan Resident of village - Sirsiya, P.S.
Hasanpur, District - Samastipur (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar
2. Habiba Khatoon Wife of Md. Jakir & Daughter of Md. Anwar Resident
of village - Sirisiya, P.S. Hasanpur, District - Samastipur (Bihar)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra
For the Opposite Party/s : Mr. Anuj Kumar Srivastava (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 25-07-2016 Petitioner being husband of the complainant
is apprehending his arrest in a complaint case wherein
processes were directed to be issued after cognizance being
taken for the offences punishable under Section 498A of the
Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the
petitioner that petitioner admits his marriage with the
complainant and a statement has been made in para 8 of the
petition that petitioner is ready to settle the matrimonial
dispute which reads as follows:-

“That the petitioner is ready
to settle the matrimonial dispute with the
complainant.”

It is further submitted that complainant is neighbour of the petitioner, now the issue has been resolved and both are residing together.

Earlier also the matter was adjourned to enable the counsel for the complainant to seek instructions.

It is submitted by learned counsel for the complainant that in spite of best efforts he is unable to get any information which suggests that the dispute has been resolved between the parties.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Samastipur in connection with Complaint Case No. 1101 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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